UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

vs. CASE NO. 11-20749

JONAS ROGERS HON. LAWRENCE P. ZATKOFF

Defendant.

_______________________________________/

OPINION AND ORDER

AT A SESSION of said Court, held in the United States Courthouse,
in the City of Port Huron, State of Michigan, on June 18, 2012

PRESENT: THE HONORABLE LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

I. INTRODUCTION

This matter is before the Court on Defendant's Motion *in limine* to Preclude Expert Witnesses [dkt 26]. The Government has responded to the motion. The Court finds that the facts and legal arguments are adequately presented in the parties' papers such that the decision process would not be significantly aided by oral argument. Therefore, pursuant to E.D. Mich. L. R. 7.1(f)(2), it is hereby ORDERED that the motion be resolved on the briefs submitted. For the reasons set forth below, Defendant's motion is DENIED.

II. ANALYSIS

In the instant Motion, Defendant seeks to prevent the Government from introducing expert testimony to show Defendant's handwriting and fingerprints appear on certain documents relevant to the charges in this case. According to Defendant, the Government has provided neither the underlying reports nor full scientific analyses supporting the fingerprint and handwriting evidence. The Government has additionally not given notice that an expert will be called to testify with respect to such analyses.

Defendant further seeks to preclude the Government from presenting an expert opinion regarding how "typical or potential mortgage [fraud] schemes" are carried out, on the basis that this evidence "is derived from nothing more than anecdotal evidence."

According to the Government's response, however, it will not seek to introduce fingerprint and handwriting analyses into evidence and, therefore, no fingerprint or handwriting expert will be called. The Government also adds that it does not intend on calling expert witnesses to testify in regard to mortgage fraud schemes, but instead intends to question the FBI agents responsible for investigating this case about the conduct of their investigation and about their investigative approach.

As such, it appears that no dispute currently exists with respect to expert testimony on the issues of handwriting/fingerprint analyses and mortgage fraud schemes.

III. CONCLUSION

Accordingly, IT IS HEREBY ORDERED that Defendant's Motion *in limine* to Preclude Expert witnesses [dkt 26] is DENIED as moot.

IT IS SO ORDERED.

Date: June 18, 2012

s/Lawrence P. Zatkoff
Lawrence P. Zatkoff
U.S. District Judge